

IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF GEORGIA

AUGUSTA DIVISION

JONATHAN HAMILTON,	)	
	)	
Plaintiff,	)	
	)	
v.	)	CV 121-079
	)	
PRESIDENT BILL CLINTON, et. al.,	)	
	)	
Defendants.	)	

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**ORDER**

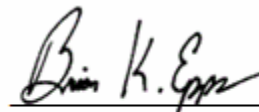
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Plaintiff filed the above-captioned case on May 11, 2021. (Doc. no. 1.) Because he is proceeding *pro se* and displayed erroneous attempts of service, (doc. nos. 8-14), on September 9, 2021, the Court provided him with basic instructions regarding the development and progression of this case. (Doc. no. 15.) The Court explained Plaintiff is responsible for serving Defendants in accordance with Federal Rule of Civil Procedure 4 and directed the Clerk of Court to attach a copy of Rule 4 to the September 9th Order so that Plaintiff could determine the appropriate method of service for each Defendant. (Id. at 1.) The Court specifically informed Plaintiff, under Fed. R. Civ. P. 4(m), he had ninety days from the complaint filing to accomplish service and that failure to accomplish service could result in dismissal of individual Defendants or the entire case. (Id.) Because his ninety-day window had expired, the Court granted Plaintiff an additional thirty-days to serve Defendants. Now, the 120-days allowed for service has elapsed, and there is no evidence in the record that any Defendant has been properly served. Indeed, the only docket activity since the Court entered its instruction order on

September 9th are two letters from Plaintiff and an affidavit of service on the U.S. Attorney General, however service on the U.S. Attorney General alone does not warrant effective service under any provision of Rule 4. (See doc. nos. 18-20; Fed. R. Civ. P. 4.)

Rule 4(m) empowers courts with discretion to extend the time for service when a plaintiff demonstrates good cause for failing to timely serve process or any other circumstances warrant an extension of time. Henderson v. United States, 517 U.S. 654, 662-63 (1996); Lepone-Dempsey v. Carroll Cnty. Comm'rs, 476 F.3d 1277, 1282 (11th Cir. 2007); Horenkamp v. Van Winkle & Co., 402 F.3d 1129, 1132 (11th Cir. 2005). Accordingly, Plaintiff shall have fourteen days from the date of this Order to explain the reason(s) for the delay in service of process and why this case should not be dismissed without prejudice for failure to timely effect service. The Court **DIRECTS** the Clerk of Court to attach a copy of Rule 4(m) to this Order for Plaintiff's perusal.

SO ORDERED this 9th day of December, 2021, at Augusta, Georgia.



BRIAN K. EPPS  
UNITED STATES MAGISTRATE JUDGE  
SOUTHERN DISTRICT OF GEORGIA